

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

PRICE'S COLLISION CENTER, LLC,)
In its own capacity and as Agent for)
Anne Crockett,)
))
Plaintiff,))
))
 vs.) **Case No. 312-cv-00873**
))
PROGRESSIVE HAWAII INSURANCE)
CORPORATION,)
))
Defendant.)

MOTION TO DISMISS

Comes now Defendant, Progressive Hawaii Insurance Company, by and through counsel, and pursuant to Federal Rule of Civil Procedure 12(b)(6), moves this Court to dismiss the lawsuit filed against it. Plaintiff's Complaint fails to state a claim upon which relief can be granted. Defendant relies upon the Memorandum of Law filed in support of this Motion.

WHEREFORE, Defendant respectfully requests this Court enter an Order dismissing this litigation in its entirety.

Respectfully submitted,

FEENEY & MURRAY, P.C.

By: /s/John Thomas Feeney

John Thomas Feeney

BPRN 11482

Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of September, 2012, a copy was filed electronically and submitted to the Electronic Filing System. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the filing receipt. Parties may access this filing through the Court's electronic filing system.

This the 4th day of September, 2012.

/s/ John Thomas Feeney
John Thomas Feeney